

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

BENNIE R. WEISER, JR., and LATRICE
(ALVERSON) WEISER,

Plaintiffs/Counter-Defendants,

vs.

PATHWAY SERVICES, INC., a
domestic for profit business corporation,

Defendant/Counter-Plaintiff

Case No. 17-CV-673-GKF-FHM

OPINION AND ORDER

Defendant's Motion to Compel, [Dkt. 15], is before the undersigned United States Magistrate Judge for decision. The matter has been fully briefed, [Dkt. 15, 16, 22], and is ripe for decision.

The parties had a dispute over the responses to Defendant's discovery provided by Plaintiff Bennie R. Weiser, Jr. Following the filing of this motion, and as a result of a previously held meet and confer between counsel, Plaintiff amended his discovery responses. According to Plaintiff's Response Brief, the original discovery answers were amended to excise general objections that were asserted, responses were reformatted to answer specific subparts, and Plaintiff repeatedly asserted that no documents were being withheld. [Dkt. 16, p. 9]. Defendant filed a Reply Brief wherein it states that the "Motion to Compel Discovery is not moot and serves a purpose here." [Dkt. 22, p. 1]. However, Defendant's Reply Brief does not argue that any specific discovery requests remain unanswered, were answered unsatisfactorily, or that there remains anything for the court to resolve.

Based on the representations made by Plaintiff and the lack of specificity in Defendant's Reply Brief as to what dispute remains, the court finds that Defendant's Motion to Compel, [Dkt. 15], should be and is hereby DENIED.

SO ORDERED this 21st day of August, 2018.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE